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WASHINGTON, D. C.

SATURDAY MORNING, JUNE 9, 1849.

COL. BENTON'S SPEECH.
To the People of Missouri.
DELIVERED IN THE CAPITOL.

JERUSALEM, May 26, 1849.

CITIZENS! I have received certain resolutions from the General Assembly of Missouri, denying the right of Congress to legislate upon the subject of slavery in territories—asserting the right of the citizens of every State to remove to the territories acquired by the blood and treasure of the whole Union, with their property—declaring it to be an insult to the States to exclude any of their citizens from so removing and settling with their property—alleging such insult to be the cause of alienation among the States, and ultimately of disunion; and instructing the senators of the State, and requesting its representatives to vote in conformity to the resolves so adopted.

These instructions, of which I now only give the substance, were adopted by the General Assembly after the adjournment of Congress, and after the time that it must have been believed that the subject to which they refer had been disposed of in Congress, and while other resolutions incompatible with them had been given by the previous General Assembly, and had been complied with by me, and were still on hand. They are a mere copy of the Calhoun resolutions offered in the Senate in February, 1847, denounced by me at the time as a fire-brand, intended for electioneering and disunion purposes, and abandoned by him after their introduction, without ever calling a vote upon them, for a reason which will be hereafter shown. I produce them in order to justify the character I give of them, and to show them to be the original of those which I have received from the General Assembly of Missouri.

THE CALHOUN RESOLUTIONS.

Resolved, That the territories of the United States belong to the several States composing this Union, and are held by them as their joint and common property.

Resolved, That Congress, as the joint agent and representatives of the States of this Union, has no right to make any law, or do any act whatever that shall, directly or by its effects, make any discrimination between the States of this Union, by which any of them shall be deprived of its full and equal right in any territory of the United States acquired or to be acquired.

Resolved, That the enactment of any law which should directly or by its effects, deprive the citizens of any of the States of this Union from emigrating with their property into any of the territories of the United States, will make such discrimination, and would, therefore, be a violation of the constitution and the rights of the States from which such citizens emigrated, and in derogation of that perfect equality which belongs to them as members of the Union, and would tend directly to subvert the Union itself.

Resolved, That as a fundamental principle in our political creed, a people in forming a constitution, have the unconditional right to form and adopt the government which they may think best calculated to secure liberty, prosperity and happiness; and that, in conformity thereto, no other condition is imposed by the Federal constitution on a State, in order to her admission into the Union, except that its constitution be republican, and that the imposition of any other by Congress would not only be in violation of the constitution, but in direct conflict with the principle on which our political system rests.

These resolutions were brought into the Senate, February 19, 1847, and are the prototype of those sent me by the General Assembly of Missouri. I see no difference in them but in the time contemplated for dissolution of the Union—Mr. Calhoun's tending "directly" and those of Missouri "ultimately" to that point. In other respects they are identical, and this difference is not material, as the Missouri resolutions pledge the State to "co-operate" with other slaveholding States, and therefore to follow their lead, which may be directly, as the Accorn resolutions vouch to be the voice of the South, call for a State Convention, as soon as a bill can be passed for the purpose, to organize the mode of action. I consider the Calhoun resolutions as the parent of those adopted by our Legislature, and entitled to the first attention; and in that point of view, shall speak to them first; and begin with an argument against it derived from the conduct of that gentleman himself.

In the year 1820, Mr. Calhoun was a member of Mr. Monroe's cabinet, and as such was required, by the President, in common with the rest of the cabinet, to give his opinion in writing, to be filed in the Department of State, on the question of the power of Congress to prohibit slavery in territories, and on the constitutionality of the 8th section of the act for the admission of Missouri into the Union, and which section applied the anti-slavery clause of the Ordinance of 1787, to more than half of the whole Territory of Louisiana. The questions were momentous. The whole Union was then convulsed on the subject of slavery; growing out of the Missouri controversy. Congress had just passed an act for the admission of Missouri without restriction, but with a prohibition of slavery in all the territory north and west of her. The act was just coming to Mr. Monroe for his approval or disapproval. If approved by him, it became a law at once; if disapproved, the act was defeated forever; for it was known that the constitutional majorities of two-thirds of Congress could not be obtained for the act if disapproved by the President. The whole responsibility of passing or defeating the act, then rested on Mr. Monroe. He felt the magnitude of that responsibility, and saw that it was an occasion to require the gravest advice of his cabinet. He determined to have their advice and in the most mature and responsible form. The act had passed on the 23d of March. He immediately convoked his cabinet—stated the question—reduced them to writing—

gave a copy to each member—and required them to be answered in writing. On the 6th, all the answers were given, and all in the affirmative on both questions; and the act was immediately approved and signed, and became the law of the land. The law bears date on that day—March 6th, 1820. Mr. Calhoun gave his written opinion with the rest, in favor of the constitutionality of the act, and no whisper was ever heard from him to the contrary, or in denial of the right of Congress to prohibit or abolish slavery in territories until the introduction of his fire-brand resolutions, twenty-seven years after his cabinet opinion had been given. These resolutions were brought in near the close of the short session of 1846-7, and were intended for general debate at the session of 1847-8—the long session which preceded the Presidential election—and to make a chance for himself at that election by getting up a test which no northern man could stand. But that general debate never came on. Before the time had ripened for it, the cabinet opinions of 1820 had been found out, and were produced in the Senate to the confusion of Mr. Calhoun, and utter prostration of his resolutions. They were first produced by Mr. Westcott, of Florida, and afterward by Mr. Dix, of New York. The proofs were in writing, and to the point, and from two different witnesses—and the two, above all men in the world, the most competent and credible to testify in the case—Mr. Monroe and Mr. Adams—both dead, but both speaking from the tomb, and in the highest form known to the law of evidence—that of recorded evidence, written down at the time as the true history of a fact, and without the slightest expectation that it was ever to be used against any human being. Mr. Monroe's testimony was in his own hand writing, obtained from his son-in-law, and consisted of two pieces—one being the interrogatories propounded to his cabinet, and the other the autograph copy, or draft of a letter to a friend, the interrogatories were endorsed thus: "Interrogatories. Missouri, March 4, 1820." "To the heads of Departments and Attorney General." The interrogatories themselves were in these words:

"Has a Congress a right under the powers vested in it by the Constitution to make a regulation prohibiting slavery in a territory?"

"Is the 8th section of the act which passed both houses on the 3rd instant for the admission of Missouri into the Union, consistent with the constitution?"

With these questions was an original draft of a letter in Mr. Monroe's hand writing, not dated, signed, or addressed to any one, but supposed to be written to General Jackson, which letter shows that these two questions were put to Mr. Monroe's cabinet, were answered by them in writing, and that they were unanimous in answering the questions in the affirmative. This is the letter:

"DEAR SIR: The question which lately agitated Congress and the public has been settled, as you have seen, by the passage of an act for the admission of Missouri as a State, unrestrained, and Arkansas likewise when it reaches maturity, and the establishment of the 36d. 30m. North latitude as a line, North of which slavery is prohibited, and permitted to the South. I took the opinion in writing of the administration as to the constitutionality of restraining territories, [and the vote of every member was unanimous and] which was explicit in favor of it, and as it was that the 8th section of the act was applicable to territories only, and not to States when they should be admitted into the Union. On this latter point I had at first some doubt; but the opinion of others, whose opinions were entitled to weight with me, supported by the sense in which it was viewed by all who voted on the subject in Congress, as well as by the journals, satisfied me respecting it."

The words in brackets were crossed out by running the pen through them, and the word explicit substituted—a substitution evidently made to avoid violating the cabinet rule, not to tell the opinions of members, which the word unanimous would do. But the word explicit is sufficient. Taken in connexion with the rest of the paper—with the result—and with the (almost) thirty years silence of Mr. Calhoun, and that word is equivalent to the word unanimous. For it is not to be presumed that Mr. Calhoun was omitted in the address of the questions—or that he failed to answer, and to answer as the President required, in writing—or, that failing to answer, it would not have been noted—or, answering negatively, it would not have been equally noted—or, above all, that, differing from Crawford and other Southern men on this delicate point, he would not have let the secret out at the time, or produced since as an evidence of his guardianship over Southern interests, and as a proof of his precious consistency. The presumption against him, and the absence of all these concomitants of dissent, are proof positive that he concurred with the rest of the cabinet at the time, and never thought of denying it until caught fast and hard in the fixed fact of a killing contradiction.

But the other piece of writing is still more close and stern than the letter of Mr. Monroe. It is the diary of Mr. Adams, written down at the time, and clear and pointed to every particular—the questions, the answers, the unanimity, the writing of the answers, and their deposit in the Department of State. The extract from this diary, furnished and certified by the son, Mr. Charles Francis Adams, is in these words:

Extracts from the Diary of J. Q. Adams.
"March 3, 1820—When I came this day to my office, I found there a note requesting me to call at one o'clock, at the President's house. It was then one, and I immediately went over. He expected that the two bills, for the admission of Maine, and to enable Missouri to make a constitution, would have been brought to him for his signature; and he had summoned all the members of the administration to ask their opinions in writing, to be deposited in the Department of State, upon two questions: 1. Whether Congress had a constitutional right to prohibit slavery in a territory? and 2. Whether the 8th section of the Missouri bill (which interdicts slavery forever in the territory North of 36° 30' latitude) was applicable only to the territorial State, or would extend to it after it should become a State? As to the first question, it was unanimously agreed that Congress have the power to prohibit slavery in the territories."

"March 5—The President sent me yesterday the two questions in writing upon which he desired to have answers in writing, to be deposited in the Department of State. He wrote me that it would be in time, if he should have the answers to-morrow. The first question is in general terms,

as it was stated at the meeting on Friday. The second was modified to an inquiry whether the 8th section of the Missouri bill is consistent with the constitution. To this I can, without hesitation, answer by a simple affirmative, and so after some reflection, I concluded to answer both."

"March 6—I took to the President's my answers to his two constitutional questions and he desired me to have them deposited in the department together with those of the other members of the administration. They differed only as they assigned their reason for thinking the 8th section of the Missouri bill consistent with the constitution because they considered it as only applying to the territorial term, and I barely gave my opinion, without assigning for it any explanatory reason. The President signed the Missouri bill this morning."

This testimony leaves no room for doubt or quibble. It is clear and positive at all points. It was overwhelmingly conclusive. Mr. Calhoun should have surrendered. His evil genius, and the fix he was in as the leader of a party founded on new ideas, the reverse of his old ones, and the disease of consistency, made him hesitate and deny, not directly, but argumentatively, and in the way of non-recollection. He could not remember—and he could not believe that he could have given a written opinion in such an important matter without remembering it! Unhappy man! he did not perceive that this species of argumentative denial was far stronger the other way! that it would have been far more difficult to have forgotten his opinion, if he had stood alone in the cabinet, dissenting from all the rest, and disobeying the President's command to answer! This would have been the thing difficult to have been forgot, and still more difficult to have been concealed! Still more difficult to have done himself by this non-recollection, Mr. Calhoun undertook to rehabilitate himself by assuming to know all about the compromise, and by giving a statement of it which was intended to convince the Senate that his memory was good, and entitled to credit in opposition to all the testimony against him. He began with characteristic assumption of knowing everything, and ending by showing that he knew nothing. He said:

"I know well all about the compromise; the cause which led to it, and the reason why, that the northern men who voted against it were universally sacrificed for so doing. It is quite a mistake, as some suppose, that they were sacrificed for voting for the compromise. The very reverse is the case. The cause I will proceed to state: During the session of the compromise, Mr. Lowndes and myself resided together. He was a member of the House of Representatives, and I was Secretary of War. We both felt the magnitude of the subject. Missouri, at the preceding session, had presented herself for admission as a member of the Union. She had formed a constitution and government, in accordance with an act of Congress. Her admission was refused on the ground that her constitution admitted of slavery; and she was remanded back to have the objectionable provision expunged. She refused to comply with the requisition, and at the next session again knocked at the door of Congress for admission, with her constitution as it originally stood. This gave rise to one of the most agitating discussions that ever occurred in Congress. The subject was one of repeated conversation between Mr. Lowndes and myself. The question was, what was to be done and what would be the consequence if she was not admitted. After full reflection we both agreed that Missouri was a State—made so by a regular process of law, and never could be remanded back to the territorial condition. Such being the case, we also agreed that the only question was, whether she should be a State in or out of the Union? and it was for Congress to decide which position she should occupy. My friend made one of his able and lucid speeches on the occasion; but whether it has been preserved or not, I am not able to say. It carried conviction to the minds of all, and in fact settled the question. The question was narrowed down to a single point. All saw that if Missouri was not admitted she would remain an independent State, on the west bank of the Mississippi, and would become the nucleus of a new confederation of States, extending over the whole of Louisiana. None were willing to contribute to such a result; and the only question that remained with the northern members who had opposed her admission was, to devise some means of escaping from the awkward dilemma in which they found themselves. To back out or compromise, were the only alternatives left; and the latter was eagerly seized to avoid the disgrace of the former; so eagerly, that all who opposed it at the north were considered traitors to that section of the Union, and sacrificed for their votes."

Every part of this statement is erroneous, and to such a degree as to destroy all reliance upon Mr. Calhoun's memory. He says that during the compromise session he and Mr. Lowndes resided together, and that, at the preceding session Missouri had presented her constitution, made under the act of Congress, and applied for admission into the Union. Now this is error. The constitution of Missouri followed, and did not precede the compromise act. That act was passed March 6th, 1820, the constitution framed under it was signed July 19th of the same year; and was presented to Congress in the month of November following—Congress in that year having met on the second Monday in November. Here then is an error of a year in point of time, and a transposition of events in point of fact. The constitution of Missouri was made after the compromise, and in pursuance of it; and not to know that much was to know nothing at all about it. Mr. Calhoun says the admission was refused, and the constitution remanded back, because it admitted slavery in Missouri. This is great error. The act of Congress under which the Missouri constitution was made admitted slavery in Missouri, and her constitution could not be, and was not; refused on that ground. The admission was not refused for that cause, nor for any thing like it, nor for any thing in relation to slavery, but the direct opposite—for a clause in relation to free people of color, and by which it was contended the citizens of other States might be prevented from removing to the State of Missouri. The clause was this: "To prevent free negroes and mulattoes from coming to, and settling in this State, under any pretext whatever." The provision was found in clause 4, section 26, of article 3, of the constitution, and was objected to as being inconsistent with the constitution of the United States, and the rights of the States, as in some of those States free people of color

might be citizens. This was the clause objected to, and not the one sanctioning slavery. Mr. Calhoun says the constitution was remanded back to the State to have the slavery clause expunged. It was not remanded back for the purpose of having anything expunged, but the contrary—to have something added—to obtain the legislative assent of the State to the joint resolution of the two houses of Congress, declaring that the clause in question should never be so construed as to exclude from settlement, and the rights of citizenship, the citizens of other States emigrating to Missouri. Mr. Calhoun says the State refused to comply with the requisition of Congress. This is more error. The State complied immediately; the legislative assent to the required construction of the objectionable clause being given on the 26th day of June, in the same year. He says the State knocked again with her constitution at the door of Congress at the next session, and that this gave rise to the most agitating discussion that ever took place in Congress. This is the very error of the moon. The State never applied to Congress again, but was admitted in the recess; and before the next meeting of Congress, and by proclamation from President Monroe. The proclamation was issued the 10th of August, 1820, in pursuance to the joint resolution of Congress of the second of March of that year, expressly framed to save the State from applying to Congress again, by referring it to the President to proclaim her admission as soon as she assented to the required construction of the obnoxious article. The fact is, that Congress did not refuse to admit the State at all—on the contrary, passed a joint resolution at her first session, the presentation of the constitution, for her admission "on a certain condition"—on compliance with which condition her admission was to be complete, without further proceeding on the part of Congress and was to be so proclaimed by the President. All this appears in the legislative history of the country, and was authentically recited in the proclamation issued on the occasion. This is the proclamation!

"Whereas the Congress of the United States, by a joint resolution of the 24 day of March last, entitled 'Resolution providing for the admission of the State of Missouri into the Union on a certain condition,' did determine and declare—'That Missouri should be admitted into this Union on an equal footing with the original States, in all respects whatever, upon the fundamental condition that the fourth clause of the 26th section of the 3d article of the constitution submitted on the part of said State to Congress, shall never be construed to authorize the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the States of this Union shall be excluded from the enjoyment of any of the privileges and immunities to which each citizen is entitled under the constitution of the United States: Provided, that the legislature of the said State, by a solemn public act, shall declare the assent of said State to the said fundamental condition, and shall transmit to the President of the United States, on or before the first Monday in November next, an authentic copy of said act; upon the receipt whereof the President by proclamation shall announce the fact, whereupon, and without any further proceedings on the part of Congress, the admission of the said State into this Union shall be considered complete: And whereas, by a solemn public act of the Assembly of the said State of Missouri, passed on the 26th of June, in the present year, entitled 'A solemn public act declaring the assent of this State to the fundamental condition contained in a resolution passed by the Congress of the United States, providing for the admission of the State of Missouri into the Union on a certain condition,' an authentic copy whereof has been communicated to me, it is solemnly and publicly enacted and declared, that that State has assented, and does assent, that the 4th clause of the 26th section of the 3d article of the constitution of said State, shall never be construed to authorize the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the United States shall be excluded from the enjoyment of any of the privileges and immunities to which such citizens are entitled under the constitution of the United States: Now, therefore, I, James Monroe, President of the United States, in pursuance of the resolution of Congress aforesaid, have issued this my proclamation, announcing the fact, that the said State of Missouri has assented to the fundamental condition required by the resolution aforesaid: WHEREUPON the admission of the State of Missouri into the Union is declared to be complete."

In testimony whereof I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the city of Washington, the 10th day of August, 1821, and of the Independence of the United States of America, the 46th.

JAMES MONROE.
By the President:
JOHN QUINCY ADAMS,
Secretary of State."

Now this proclamation was issued from the cabinet of which Mr. Calhoun was a member, and appears to have been as completely forgotten by him as were the cabinet decision of the same year in favor of the power of Congress to legislate upon the subject of slavery in territories, and to abolish it in territories; for that was the effect of the compromise act of 1820. He actually forgets that Missouri was admitted upon a proclamation, issued from the cabinet council of which he was a member! and goes on to substitute the wanderings of his imagination for the legislative history of the country, in giving a supposed circumstantial account of what took place between himself and Mr. Lowndes, after the second rejection of the Missouri constitution, and which led to the conclusions which, according to him, produced the compromise. "To back out, or compromise, was the only alternative left; and the latter was eagerly seized upon to avoid the disgrace of the former." So says Mr. Calhoun: and so saying, he postpones the compromise a whole year, and couples it with an event to which it does not belong, and makes it the effect of a cause which never existed. It is postponed from the session '19-20 to the session '20-21; and it is connected with the final admission of Missouri, after she had become a State, instead of being connected with the preliminary act which authorized her to form a State constitution. Never was such blundering seen! It is even questionable whether he is not mistaken in the statement that he and Mr. Lowndes resided together at the time that Missouri presented her constitution. He says they did. My impression is to the con-

trary—that Mr. Calhoun lived with his family at that time, (session of '20-21) in D street, and Mr. Lowndes in a boarding house. It is also questionable whether Mr. Lowndes did much toward passing the joint resolution under which the State was admitted. He was in declining health at that time; and although he spoke once in favor of the admission after the constitution was presented, and spoke with the manly sense and patriotic feeling which belonged to him, yet he soon ceased to attend, and went abroad for his health, and died. It was Mr. Clay who consulted me about the joint resolution, and with whom I agreed that it would answer the purpose, and gave my opinion that the State would agree to it immediately, which she did. By that joint resolution the question of admission was not to come before Congress again, and did not, and was purposely framed to avoid a second appearance of the state at the bar of Congress; so that all this story of Mr. Calhoun's about the manner in which the compromise was seized, to avoid disgrace, after the rejection of the constitution, is mere figment of the brain, coined for the purpose of getting out of the cabinet council of March 6th, 1820. Far better to have confessed what was proper to have admitted the truth of Mr. Monroe's and Mr. Adams's disinterested testimony—and to have taken the ground of a change of opinion since that time. That would have been the discreetest course. But, oh, the disease of consistency! that malady of his mind! and the hard fate of a leader, almost affecting the prophet, and bound under all circumstances, to maintain his infallibility in the eyes of his followers, under the awful penalty of losing dominion over them.

Some search has been made in the Department of State for the written opinions of the cabinet, without finding them: but that weighs nothing against the positive testimony that they were put there. The wonder would be to find them after 27 years, and so many changes of clerks; and it is to be remembered that no one of Mr. Monroe's cabinet has been Secretary of State since that time but Mr. Calhoun.

The rule is established—established by the rules of evidence which convince the human mind, even the most unwilling—that Mr. Calhoun, as a cabinet minister under Mr. Monroe, supported the constitutionality of the Missouri compromise act. This fact being established, let us see what that act was; and that will be shown by the title to the act—by the act itself—and by the actual condition of the territory in which it was to operate. This is the title:

"An act to authorize the people of the Missouri territory to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States, and to prohibit slavery in certain territories."

A very intelligible title this, especially in the concluding clause, and enough to have startled Mr. Calhoun, if he had held the same doctrines on the powers of Congress then which he professes now. The act itself was in these words:

"SEC. 8. That in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of 36 degrees 30 minutes north latitude, not included within the limits of the State contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of the crimes whereof the parties shall have been convicted, shall be, and hereby is, forever prohibited."

Such are the words of the act—the very words of the Wilmot Proviso, and if any modern copyist is to supersede Mr. Jefferson in the paternity of that proviso it should be John C. Calhoun, and not Davy Wilmot! It should be called the Calhoun Proviso! and that for many and cogent reasons. In the first place, he was nearly thirty years ahead of Davy in the support of this proviso. In the second place, his position was higher, being a Cabinet Minister, and his voice more potent, being a Southern man. In the third place, he was part of the veto power where three voices were a majority; Davy only a member of the legislative power, where it requires a majority of both houses to do anything. In the fourth place, Calhoun was successful, Davy is not. Finally, Davy's proviso is a weak contrivance to prevent slavery from being where it is not, and where it never will be; Calhoun's proviso was a manly blow to kill slavery, where it then existed, by law, and where it would now exist in point of fact, if that blow had not been struck. The proviso of Mr. Calhoun actually abolished slavery where it existed by law—in all the upper half of Louisiana—from 36°-30' to 49°, and from the Mississippi to the Rocky Mountains—over a territory nearly a thousand miles square—nearly a million square miles—enough to make twenty States of 50,000 square miles each—more in fact than all California, New Mexico and Oregon put together. Over all this vast territory the proviso, supported by Calhoun, abolished slavery—abolished it, then existing by law—and shut it up from the slave emigration of the South. And now what becomes of the dogma, in his mouth, and that of his followers, so recently invented, of no power in Congress to legislate upon the subject of slavery in territories? What becomes, in their mouths, of the new-fangled point of honor, just felt for the first time in thirty years, of insult to slave States in their exclusion from settlement to the territories bought by the blood and treasure of the whole Union? Louisiana was a territory, and Congress legislated upon slavery in it, and legislated slavery out of a million of square miles of it, and Mr. Calhoun supported that legislation. Louisiana was a territory acquired by the treasure, if not by the blood, of the whole Union; and the proviso of 1820, supported by Mr. Calhoun, shut up one-half of it from slave emigration. If that is insult, he and his followers have stood being insulted most remarkably well for about thirty years; and, perhaps, would consult their own self-respect, and lose nothing in public opinion, if they should continue standing it with like fortitude, for the remainder of their lives.

I do not quote this conduct of Mr. Calhoun in giving the answer which he did to Mr. Monroe's interrogatories, for the purpose of vindicating the right of Congress to prohibit or abolish slavery in territories. When I feel it necessary to vindicate that right I shall have recourse to very different authority from that which can be quoted on every side of every question it ever touched. I quote it for a very different purpose, for the purpose of shutting up the mouths of his followers as completely as it shut up his own from the day he was confronted with it. From that day to the present he has never mentioned his resolutions! never called for

that vote upon them which he declared himself determined to have when he introduced them.

In giving his cabinet support, where his voice was so potent to the abolition of slavery over a million of square miles in Louisiana, Mr. Calhoun did more than any one man has ever done toward abolishing slavery in the world. Holding, as he then did, the one-half part of the veto power, and commanding as his position was, as a southern man and a cabinet minister—a leading cabinet minister—the largest question ever started of free or slave soil, was then in his hands; and he decided it in favor of free. It was an immense boon to the anti-slavery party, then so numerous and ardent; but it was not the only service which he then rendered them. Texas was then ours—a part of Louisiana—to the lower Rio Grande; large enough to form six great, or ten common States. It was all slave territory, and looked as the natural outlet of the southern States, with their great increasing slave population. It was given to the King of Spain—given away by treaty, and that treaty the work of Mr. Monroe's cabinet—Mr. Monroe being a member. And here there is no room for denial and non-recollection. For a long time Mr. Adams bore the blame of that cession. A friend of Mr. Calhoun reproached him with it in the House of Representatives. Mr. Adams was then alive, and present, and soon vindicated the truth of history. He showed that there was a division in the cabinet, upon the point; he was against it—Mr. Calhoun for it—and Mr. Calhoun being a southern man, and the majority of the cabinet southern, he carried the day, and Texas was lost. I was not then in public life, but I wrote against that act, blaming Mr. Adams when I should have blamed Mr. Calhoun. By that cession the expansion of slavery was stopped; the growth of slave States in the southwest was stopped; three hundred and fifty thousand square miles subject to American slavery was cut off from American dominion, and presented to a foreign king. This was another great gratification to the Abolitionists; but it was not all. There was a strip of land, about large enough for two States, lying upon the Arkansas and Red rivers, and between Texas and the 36 deg. 30 min. of north latitude. This strip having escaped the compromise line on one side, and the Texas cession on the other, was open to the formation of two respectable slave States. Mr. Calhoun was then still cabinet minister—Secretary at War—had the Indians under his care—and was riding the hobby of their civilization. He required this strip to be given up to the Indians for their permanent abode; and thus it, also, was lost to the slave States. All Louisiana was then gone from them except the fragment which was contained in the States of Missouri and Louisiana, and in the Territory of Arkansas. Even this fragment appeared to be too much to be left to the slave States, and a slice forty miles wide, and three hundred miles long, was cut off from Arkansas and given to the Indians; and the slaveholders with the slaves upon the slice, were required to remove from the cut off part, and fall back within the contracted limits. This was done by the Indian treaty—the treaty negotiated by a protégé of Mr. Calhoun's. He was then Vice President of the United States, and President of the Senate—I was a member of the Senate—opposed to the ratification of this treaty—and came within one or two votes of defeating it. The slightest help from Mr. Calhoun would have defeated it, and saved the slave State of Arkansas that territory, and those salt springs, the loss of which she now has to lament.

Taken all together—the compromise—the Texas cession—the Indian domain and the slice from Arkansas, and Mr. Calhoun did more, in less time, to abolish slavery, diminish its area, and increase that of free soil, than any man that has ever appeared on the face of the earth; and of this the anti-slavery party of the north were fully sensible, and duly grateful. They gave proof of their gratitude. Mr. Calhoun was then candidate for Vice President of the United States; he became the favorite of the North—beating even Mr. Adams himself, on the free soil track. He beat him six votes in New York, ran head and neck with him through New Hampshire, Vermont and Rhode Island—was even through Massachusetts—and came a nose ahead on the northern track. He actually beat Mr. Adams in abolition States—and with justice. He had done more than him for free soil, and with more merit, being himself an inhabitant of slave soil. I told him all this in my first Calhounian, in the Senate of the United States, four days after he put in his fire-brand resolutions, in my speech to show him to be the true author of the Mexican war. This is what I then said to him:

"This conduct of the senator, in giving away Texas when we had her, and then making war to get her back, is an enigma which he has never yet condescended to explain, and which, until explained, leaves him in a state of self-contradiction, which, whether it impairs his own confidence in himself, or not, must have the effect of destroying the confidence of others in him, and wholly disqualify him for the office of champion of the slaveholding States. It was the heaviest blow they had ever received, and put an end, in conjunction with the Missouri compromise, and the permanent location of the Indians west of the Mississippi, to their future growth or extension, as slave States, beyond the Mississippi. The compromise, which was then in full progress, and established at the next session of Congress, cut off the slave States from all territory north and west of Missouri, and south of thirty-six and a half degrees of north latitude; the treaty of 1819 ceded nearly all south of that degree, comprehending not only all Texas, but a large part of the valley of the Mississippi, on the Red river, and the Arkansas, to a foreign power, and brought a non-slaveholding empire to the confines of Louisiana and Arkansas; the permanent appropriation of the rest of the territory for the abode of civilized Indians, swept the little slaveholding territory west of Arkansas, and lying between the compromise line and the cession line; and left the slave States without one inch of ground for their future growth. Nothing was left. Even the then territory of Arkansas was encroached upon. A breadth of forty miles wide, and three hundred long, was cut off from her, and given to the Cherokees, and there was not so much slave territory left west of the Mississippi as a dove could have rested the sole of her foot upon. It was not merely a curtailment, but a total extinction of slaveholding territory; and done at a time when the Missouri controversy was raging, and every effort made by northern abolitionists to stop the growth of slave States. The senator from South Carolina, in his support of the cession of Texas,

and ceding a part of the valley of the Mississippi, was then the most efficient ally of the restrictionists at that time, and deprives him of the right of setting up as the champion of the slave States now. I denounced the sacrifice Adams has been the author of it; I denounced it now, knowing the senator from South Carolina to be its author; and for this—his flagrant recreancy to the slave interest in their hour of utmost peril—I hold him disqualified for the office of champion of the fourteen slave States, (for Delaware cannot be counted,) and shall certainly require him to keep out of Missouri, and to confine himself to his own bailiwick, when he comes to discuss his string of resolutions."

In these terms, I reproached him to his face for his recreancy to the slave States, when he was catering for free soil votes. He was forced to answer, and to admit the vote in Mr. Monroe's cabinet, in favor of giving away Texas, and in conformity to which vote the Missouri compromise and the abolition question were made; but with respect to the Missouri compromise and the abolition question, he gave an answer which appeared to be plausible then, but which has turned out to be one of the most unfortunate of his life.

He said, in his reply to me: "I have now met, and, I trust, successfully repelled, all the charges made by the senator from Missouri, except those relating to the Missouri compromise, and the abolition question a year ago, for which I am in no way responsible. I was not then in Congress. I filled the office of Secretary of War at the time, and had no agency or control over it."

That was the answer—the whole that he chose to give. I did not then know of the proofs of the cabinet consultation, and of his opinion at the council table in answer to Mr. Monroe's two questions. The proofs had not then come to light, and he was safe for the time, in disclaiming all responsibility for the Missouri compromise, and the consequent abolition of slavery by a law of Congress, in upward of one-half of all Louisiana; he was safe in taking refuge under the declaration that he was Secretary of War, and not a member of Congress, and consequently had no agency in this act, or any control over it. This was a plausible answer at the time; and he stood acquitted for the moment. The discovery of the proof the next year, (1848,) reverses the acquittal—establishes his agency in the Missouri compromise act, his control over it, and his responsibility for it—true, he was not a member of Congress in 1820, to give a vote amounting to but little among two or three hundred others, for or against the Missouri compromise, but he was a cabinet minister to give a heavy vote, one in five, for or against its approval. He was not a part of the legislative power, but he was of the veto power; and he gave his vote for the approval, and against the veto. This shows that he had agency in the question, and control over it, and is responsible for it. Considering his position as a southern man, and his weight in Mr. Monroe's administration, and he is the responsible man for that act. The majority of the cabinet were southern, and if he had made the stand then which he does now, he must have vetoed the act—on the contrary he went for it, and passed it—passed the act of Congress legislating upon slavery in territories, and abolishing it over a million of square miles—and now treats such an law as a violation of the constitution, and an insult to the slave States, for which nullification, disunion, and civil war are the proper remedies!

I am mortified to dwell upon Mr. Calhoun. It is neither my habit, nor my pleasure to speak of men. In nearly thirty years that I have been in Congress I have never brought the name of any man before the public. I am now forced to do it. Mr. Calhoun's resolutions are those of the Missouri Legislature. They are identical. One is copied from the other. When the original is invalidated, the copy is of no avail. I am answering his resolutions, and chose to do it. It is just and proper that I should do so. He is the prime mover and head contriver. I have had no chance to answer him in the Senate, and it will not do to allow him to take a snap judgment upon me in Missouri, and carry disunion resolutions in my own State which he has been forced to abandon in the Senate. Duty to the country requires me to answer him, and personal reasons reinforce that public duty. He has been instigating attacks upon me for twenty years—ever since I stood by Jackson and the Union in the first war of nullification. His Duff Green Telegraph commenced upon me at the same time it did upon Jackson, and for the same cause—because we stood by the Union! Last summer, in his own State of South Carolina, where I never was, he dragged my name and that of General Houston before his constituents, and denounced us in a public speech; and held us up to a public reprobation. He accused us of defection to the south—the interpretation being that we would not join him in his scheme of a southern convention, to array one-half of the Union against the other, and form a southern confederacy. It was an audacious attack upon two absent gentlemen, and who, as senators, were entitled to senatorial courtesy from him. Neither General Houston nor myself thought it right to suffer such an attack to pass with impunity; but we did not think the floor of the Senate the proper place for replying to an attack made out of doors. The forum of our respective States was deemed the proper place. He had assailed us before his constituents and we determined to answer him before ours. General Houston has replied.

He did so during the past session of Congress, in a published address to his constituents. It was published while Mr. Calhoun was in the city, and where he might answer it if he pleased. He did not so please. He stood mute—as if the antagonist was not worthy of notice—a privilege of dignity which did not belong to him after he had begun the attack. He said nothing; and in that he did better than when he denied his support of the Missouri compromise act. He did well in saying nothing. It was a case in which public attention should not be raised by controversy. Houston showed what the charge of "defection" meant, and then carried the war into Africa. He charged him with his designs against the Union for twenty years past, and supported what he said by an array of facts which could neither be explained away nor denied. That address of Houston's should be republished by the papers friendly to the Union. It is full of truth and patriotism—worthy of the disciple of Jackson—and killing to Calhoun. He did well not to fix public attention upon it by replying to it. I told Houston that I should reply in a speech to my constituents; and that I am now doing.

(To be continued.)